

DISCIPLINARY ACTION

PRIVATE ADMONITION, Board Case No. 105356-B. Date: April 9, 2013.

A Delaware attorney was privately admonished for violations of the Delaware Lawyers' Rules of Professional Conduct. A panel of the Preliminary Review Committee offered the sanction of a private admonition, to which the attorney consented.

The attorney entered an appearance on behalf of a criminal defendant in a matter pending in a Delaware court ("Court"). On the date scheduled for trial, the attorney did not appear in Court as the client had not paid the attorney. The attorney appeared only after the Court twice contacted the attorney by phone and summoned the attorney to Court. The attorney never filed a motion to withdraw, and remained counsel of record.

By failing to file a notice of withdrawal after entering an appearance on behalf of a client at whose trial the attorney did not intend to appear, the attorney did not "comply with applicable law requiring notice to or permission of a tribunal when terminating representation" (**Rule 1.16(c)**). By failing to appear at a scheduled trial after entering an appearance on behalf of a client, and by appearing only after summoned by the Court, the attorney engaged in "conduct prejudicial to the administration of justice" (**Rule 8.4(d)**). As a result of this misconduct, the attorney consented to a private admonition.